

Applicant : Gholam-Reza Zadno-Azizi, et. al
Serial No. : 10/071,620
Filed : February 8, 2002
Cust. No. : 20985
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Attorney's Docket No.: 38349-0102C
(17075-003003)


REMARKS

A Notice of Non-Compliant Amendment (the "Notice") was mailed March 10, 2004 and stated that the amendment mailed February 23, 2004 was considered non-compliant. However, the Notice failed to state which items caused the amendment document to be non-compliant. Applicant's attorney, Fred Hernandez, spoke with Legal Instrument Examiner, Stephanie Bryce, on March 17, 2004. Ms. Bryce informed Mr. Hernandez that the Amendment mailed February 23, 2004 in the above-captioned matter was non-compliant because it did not include a complete listing of all of the claims. In particular, the amendment document omitted a listing of canceled claims 1-15.

Pursuant to 37 C.F.R. 1.121(h), Applicant submits herewith the corrected section of the non-compliant amendment, namely the listing of claims (see Appendix), which includes a complete listing of all the claims. Applicant respectfully requests that the attached listing of claims replace the listing of claims submitted with the Amendment mailed February 23, 2004. Applicant respectfully submits that the Amendment is now in compliance with 37 C.F.R. 1.121.

Respectfully submitted,

Date: March 24, 2004



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APPENDIX

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1-15. (canceled)

16. (withdrawn) A method of treating a patient comprising venous placement of a flow control device which has a resilient seal secured to a valve body.

17. (withdrawn) The method of claim 16, wherein the flow control device further comprises a frame secured thereto and the flow control device is placed venously with the frame in an insertion state and thereafter the frame is expanded within a vein to an expanded state.

18. (withdrawn) The method of claim 17, wherein the frame of the flow control device is comprised of a material having spring resilience and the flow control device is placed venously with the frame prestrained in an insertion state and thereafter releasing the preconstraint to allow the frame to expand to an expanded state so as to engage a vein.

19. (withdrawn) The method of claim 17, wherein the frame of the flow control device is comprised of a material having shape memory and the flow control device is placed venously with the frame in an insertion state and thereafter causing the frame to expand to an expanded state by heat recovery of the shape memory material so as to engage a vein.

20. (withdrawn) The method of claim 17, wherein the frame of the flow control device is comprised of a malleable material and the flow control device is placed venously with the frame in an insertion state and thereafter causing the frame to expand to an expanded state with internal expansion so as to engage a vein.

21. (withdrawn) The method of claim 20, wherein the internal expansion comprises disposing an inflatable balloon within the frame and inflating the expandable balloon.

22. (withdrawn) The method of claim 16, wherein the flow control device is anchored to a venous passageway after venous placement.

23. (withdrawn) The method of claim 16, wherein the resilient seal seals against a venous passageway during venous placement.

24. (withdrawn) The method of claim 16, wherein the flow control device comprises a one-way valve and further comprising controlling the flow of fluid in a vein in one direction.

25. (currently amended) A method of treating a patient, comprising:
placing in a pulmonic passageway of the patient a flow control device which has a resilient seal ~~secured to, a frame, and~~ a valve body;
~~expanding the resilient seal to seal~~ permitting the frame to self-expand within the pulmonic passageway sufficiently to anchor the flow control device within the pulmonic passageway, wherein the resilient seal seals with a wall of the pulmonic passageway so as to prevent fluid flow between the resilient seal and the wall of the pulmonic passageway.

26. (original) The method of claim 25, wherein the flow control device further comprises a frame secured thereto and the flow control device is pulmonically placed with the frame in an insertion state and thereafter the frame is expanded within a pulmonic passageway to an expanded state.

27. (original) The method of claim 26, wherein the frame of the flow control device is comprised of a material having spring resilience and the flow control device is pulmonically placed with the frame prestrained in an insertion state and thereafter releasing the preconstraint to allow the frame to expand to an expanded state so as to engage the passageway.

28. (withdrawn) The method of claim 26, wherein the frame of the flow control device is comprised of a material having shape memory and the flow control device is pulmonically placed with the frame in an insertion state and thereafter causing the frame to expand to an expanded state by heat recovery of the shape memory material so as to engage the passageway.

29. (withdrawn) The method of claim 26, wherein the frame of the flow control device is comprised of a malleable material and the flow control device is pulmonically placed with the frame in an insertion state and thereafter causing the frame to expand to an expanded state with internal expansion so as to engage the passageway.

30. (withdrawn) The method of claim 29, wherein the internal expansion comprises disposing an inflatable balloon within the frame and inflating the expandable balloon.

31. (original) The method of claim 25, wherein the flow control device is anchored to a pulmonic passageway after pulmonic placement.

32. (original) The method of claim 25, wherein the resilient seal seals against a pulmonic passageway during pulmonic placement.

33. (original) The method of claim 25, wherein the flow control device comprises a one-way valve and further comprising controlling the flow of fluid in a pulmonic passageway in one direction.

34. (withdrawn) A method of treating a patient comprising urinary placement of a flow control device which has a resilient seal secured to a valve body.

35. (withdrawn) The method of claim 34, wherein the flow control device further comprises a frame secured thereto and the flow control device is placed in the urinary tract with the frame in an insertion state and thereafter the frame is expanded within a urinary tract passageway to an expanded state.

36. (withdrawn) The method of claim 35, wherein the frame of the flow control device is comprised of a material having spring resilience and the flow control device is placed in the urinary tract with the frame prestrained in an insertion state and thereafter releasing the preconstraint to allow the frame to expand to an expanded state so as to engage the urinary tract passageway.

37. (withdrawn) The method of claim 35, wherein the frame of the flow control device is comprised of a material having shape memory and the flow control device is placed in the urinary tract with the frame in an insertion state and thereafter causing the frame to expand to an expanded state by heat recovery of the shape memory material so as to engage the urinary tract passageway.

38. (withdrawn) The method of claim 35, wherein the frame of the flow control device is comprised of a malleable material and the flow control device is placed in the urinary tract with the frame in an insertion state and thereafter causing the frame to expand to an expanded state with internal expansion so as to engage the urinary tract passageway.

39. (withdrawn) The method of claim 38, wherein the internal expansion comprises disposing an inflatable balloon within the frame and inflating the expandable balloon.

40. (withdrawn) The method of claim 34, wherein the flow control device is anchored to a urinary tract passageway after urinary placement.

41. (withdrawn) The method of claim 34, wherein the resilient seal seals against a urinary tract passageway during urinary placement.

42. (withdrawn) The method of claim 34, wherein the flow control device comprises a one-way valve and further comprising controlling the flow of fluid in a urinary passageway in one direction.

43. (withdrawn) A method of treating a patient comprising arterial placement of a flow control device which has a resilient seal secured to a valve body.

44. (withdrawn) The method of claim 43, wherein the flow control device further comprises a frame secured thereto and the flow control device is placed in an artery with the frame in an insertion state and thereafter the frame is expanded within the artery to an expanded state.

45. (withdrawn) The method of claim 44, wherein the frame of the flow control device is comprised of a material having spring resilience and the flow control device is placed in an artery with the frame prestrained in an insertion state and thereafter releasing the preconstraint to allow the frame to expand to an expanded state so as to engage the artery.

46. (withdrawn) The method of claim 44, wherein the frame of the flow control device is comprised of a material having shape memory and the flow control device is placed in an artery with the frame in an insertion state and thereafter causing the frame to expand to an expanded state by heat recovery of the shape memory material so as to engage the artery.

47. (withdrawn) The method of claim 44, wherein the frame of the flow control device is comprised of a malleable material and the flow control device is placed in an artery with the frame in an insertion state and thereafter causing the frame to expand to an expanded state with internal expansion so as to engage the artery.

48. (withdrawn) The method of claim 47, wherein the internal expansion comprises disposing an inflatable balloon within the frame and inflating the expandable balloon.

49. (withdrawn) The method of claim 43, wherein the flow control device is anchored to a passageway after arterial placement.

50. (withdrawn) The method of claim 43, wherein the resilient seal seals against a passageway during arterial placement.

51. (withdrawn) The method of claim 43, wherein the flow control device comprises a one-way valve and further comprising controlling the flow of fluid in an artery in one direction.

52. (previously presented) A method as in claim 25, wherein the ~~flow control device additionally comprises a frame~~ is coupled to the valve body.

53. (new) The method of claim 25, wherein the valve body does not distort when the frame expands.